

CITY OF NEWPORT BEACH
BALBOA VILLAGE ADVISORY COMMITTEE MINUTES
Regular Meeting
Location: ExplorOcean, 600 East Bay Avenue
Wednesday, December 11, 2013 - 4:00 p.m. to 5:30 p.m.

I. Call Meeting to Order

Chair Henn called the meeting to order at 4:00 p.m.

The following persons were in attendance:

Balboa Village Advisory Committee Members:

Michael Henn – Council Member (Chair)
Ralph Rodheim – Balboa Village Merchant Association
Grace Dove – Central Newport Beach Community Association
Tom Pollack – ExplorOcean Representative
Jim Stratton – Member-At-Large Representative

Tony Petros – absent
Gloria Oakes – absent

Staff Members:

Kimberly Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director
Fern Nueno, Associate Planner

II. Public Comment on Non-Agendized Items

Interested parties were invited to address the Committee on Non-Agendized Items.

Howard Hall noted that he is feeling disheartened because even with concurrence from the consultant regarding the residential parking permit program (RP3) boundary and regular attendance at the meetings, his opinion does not have an effect on the Committee's recommendation. However, when someone else came in for just two meetings and expressed an anti-RV sentiment, that idea was removed from the Committee's recommendations. He feels discouraged and thinks that his opinions on the boundary are not taken into consideration by the Committee.

Chair Henn responded that the Committee members have heard Mr. Hall's comments and while it is not currently an appropriate time to address this issue, they will soon be considering specific recommendations for Council regarding boundary changes.

Jim Mosher noted that this Committee was the innovator of recordings being made available on the City website; however, a few weeks ago the links with the recordings all disappeared and are no longer accessible. Additionally, the Committee has now met thirteen times and while the agendas and documents are posted, they are poorly organized on the website and are difficult to locate. He noted that it is hard to follow what the Committee is working on and public engagement could be improved if the website is re-organized.

Kimberly Brandt, Community Development Director, responded that staff is able to pull the documents and will organize the website better.

Jim Mosher added that he could not find a record of the Merchant Association on the Secretary of State's website

Committee Member Rodheim answered that Scott Palmer is the administrator and he will email to find out the status.

There being no others wishing to address the Committee, Chair Henn closed the Public Comment on Non-Agendized Items portion of the meeting.

III. Approval of Minutes

Recommended Action: Approve November 13, 2013 Minutes

Committee Member Stratton arrived to the meeting at 4:11 p.m.

Committee Member Pollack moved to approve the minutes of the November 13, 2013 meeting as presented, and Committee Member Rodheim seconded the motion; the motion carried unanimously.

IV. Non-Residential Parking Requirements

Recommended Action: Confirm Modified Parking Requirements

Chair Henn introduced the item, asking for clarification regarding the schedule and timeline, as previously agreed upon and discussed.

Brenda Wisneski, Deputy Community Development Director, answered, noting that all the parking programs and projects that were reviewed by the Committee thus far will be presented as a package in January to better see how they all work together. Among the topics that will be reviewed include residential parking, the creation of the parking district, demand-based pricing, and parking requirements.

Chair Henn reviewed the list of items and asked how each item would be incorporated.

Brenda Wisneski replied that current requirements, existing parking situations, and any potential

changes to provide flexibility in parking would be discussed.

Chair Henn noted that the January agenda would allow time for a quick recap and discussion of the work program.

Brenda Wisneski presented on the non-residential parking requirements, noting that the Parking Management Plan, as adopted by the Council, recommends the reduction of parking requirements in the short term and the establishment of a multi-modal fee to fund parking improvements and alternative transportation in the area. Ms. Wisneski continued presenting the existing regulations, possible parking waivers through discretionary review, and the results of the survey work. She discussed the occupancy rate maps and the tables that she compiled that demonstrate which locations exceed the target rates and which are at or below the target rates. She noted that even if the parking standards were made more flexible, that would not result in drastic changes due to the size of the parcels and development standards such as floor area and height limitations.

Chair Henn asked how ExplorOcean is treated in the analysis of the proposed parking standards.

Kimberly Brandt explained that the parking analysis was done based on the existing square footage within Balboa Village, including the existing ExplorOcean facility. The analysis does not include the General Plan Amendment and future project for ExplorOcean, which is a unique situation.

Brenda Wisneski explained that the following options are available for parking requirements:

1. Eliminate Parking Requirements for:
 - a) New development, additions, and change of use, or
 - b) Additions and change of use, or
 - c) Change of use
2. Allow reconstruction and maintain existing parking conditions
3. Modify parking requirements for retail and restaurant
4. Increase shared parking opportunities
5. Monitor increased demand and parking conditions

Ms. Wisneski noted that the General Plan and Zoning Code allow for nonconforming buildings within Balboa Village to be redeveloped at the same intensity, height, and parking, but do not have a similar provision for conforming buildings.

Discussion carried regarding the options of which way to vote, between options *a*, *b*, and *c*, and numbers one through five, as explained by Ms. Wisneski.

Ms. Brandt discussed the three or more year monitoring and analysis, and how there could be a more frequent annual reporting period.

It was noted by Ms. Wisneski that Brian Canepa continues to recommend the elimination of parking requirements in conjunction with the impact fee, while she encourages eliminating parking requirements for change of use only, which would be option 1-c, as well as options 2, 3, 4, and 5.

Chair Henn clarified that any parking program would be reviewed 3-5 years after implementation, also noting that the least restrictive would be option *a*, which is also most appealing to a developer.

Brenda Wisneski discussed additional square footage requirements, as they would apply to restaurants or small businesses.

Committee Member Rodheim asked how a small restaurant would grow, as the use would not be changed but simply improved, while complying with a parking requirement.

Kimberly Brandt explained that if they are not adding floor area, there would no parking requirement. If the City wishes to encourage additions, then option *b* should be adopted.

Chair Henn noted current design guidelines and parking restriction options, explaining that as they go down the ladder, they become more restrictive.

Mr. Rodheim expressed concern over small developments being discouraged from growth, while he would like development to be encouraged.

Discussion carried regarding the ladder of restrictions, noting that to provide equitable outcomes, option *a* would most fairly allow for that.

Committee Member Dove discussed resulting changes in character that the Committee may want to be maintained, if the incentive is for buildings to be torn down.

Chair Henn noted that architectural design guidelines need to be amended to maintain the historic feel.

Ms. Dove noted that there are many preservation programs available that can be used as incentives.

Brenda Wisneski explained the Façade Improvement Program and the need to possibly discuss sign guidelines and design guidelines.

Committee Member Pollack noted that he is more in favor of *a* over *c*, as people would have incentives to try new things out with better results over a decade of growth and review.

Mr. Rodheim spoke out in favor of 1-*a*, 4, and 5, and Chair Henn agreed, explaining that over a span of time, it will do more for new businesses and growth.

Chair Henn stated that design guidelines could be implemented without the creation of a historic district.

Ms. Dove discussed intensification and how residents would be impacted. The Newport Beach Hotel was discussed for the very successful work they have done.

Mr. Stratton noted that several very successful entertainment, recreation, and cultural establishments would be impacted by the elimination of parking requirements. Their parking would be maxed out and would have a huge, adverse affect on the establishment.

Mr. Rodheim encouraged practical parking solutions including an off-site shuttle.

Ms. Dove noted that off-site shuttle systems have historically not been successful.

Mr. Stratton encouraged members to face reality that there is not enough parking, despite the report's findings.

Chair Henn noted that the requirements are inclusive of employees.

Ms. Dove replied that healthy restaurants have too many employees that are not reflected in the parking requirements or the study so far, as well as people who visit the beach.

Mr. Stratton noted that residents in the Village use blue pole parking, and that additional parking needs to be built.

Chair Henn replied that developers would not elect to have no parking on site.

Mr. Rodheim answered that the City does not have to approve that, either.

Mr. Stratton discussed the Bubbles establishment and the in-lieu fee.

Ms. Brandt commented on the multi-modal fee and the uniqueness of the Bubbles situation. It is also important to remember that these standards that are being discussed are for commercial uses not residential uses.

Chair Henn asked how much would be lost if 1-a was adopted, and that the actual impact would be very minimal as not many spaces are being eliminated.

Mr. Pollack noted that a restaurant such as Bubbles would attract locals and not encourage people to drive long distances.

Fern Nueno, Associate Planner, stated that existing restaurants would be allowed to more easily move locations or expand.

Chair Henn replied that this would be temporary and that it would take a decade to fully assess, and City Council still needs to have a discussion over each item. The recommendations of this group carry weight for the Council's discussion.

Committee Member Rodheim moved to adopt 1-a, 4, and 5, with the design guidelines, Committee Member Stratton seconded the motion.

Before voting, Committee Member Dove noted that she has issues with businesses being required to share parking.

Brenda Wisneski explained that new developers can come in and utilize existing lots and it would be addressed with an agreement.

Chair Henn asked how other jurisdictions handle this issue.

Ms. Wisneski responded that shared parking would be a condition of approval of the project and would be made available to the public, and noted that there is also the option of leasing meters.

Chair Henn discussed shared use of parking spaces, as well as the mixed uses of parking spaces.

Mr. Rodheim encouraged the wording to be edited so that "must" be deleted, thus amending the motion to delete the word "must."

Mr. Pollack noted that ExplorOcean has some of the largest parking available in the area and has a parking agreement with the Pavilion.

Chair Henn opened public comments for the item.

Janis Dinwiddie discussed self-parking versus valet parking, and which option is most popular, utilized, and appealing to patrons of the Village.

Jim Mosher wanted to clarify if this would be reviewed again in 3 years as well as parking occupancy and whether the separate memo is available. Additionally, the square footage and off-street provided spaces do not seem to be comparable.

Brenda Wisneski replied that the numbers will be reviewed.

Committee Member Rodheim moved to adopt 1-a, 4, and 5, as amended, with the design guidelines, Committee Member Stratton seconded the motion; the motion carried unanimously.

Chair Henn noted that the term "temporary" needed to be defined, and whether or not it would be 3 years or more.

Mr. Pollack suggested that specific terms needed to be defined in the annual report for increased parking opportunities.

Mr. Rodheim stated that there should be incentives for residents and Brenda Wisneski replied that there is new meter technology available.

Mr. Pollack thanked Ms. Wisneski for the thorough memo.

In response to a question from Chair Henn, Ms. Brandt noted that the Coastal Commission review of the integrated parking strategies plan would be submitted as an entire package for a Coastal Development Permit (CDP) and the goal is to have someone at Coastal Commission assigned exclusively to the Newport Beach projects. With recent funding, a hiring process is underway at the Coastal Commission.

Chair Henn asked about the timeline for implementation.

Kimberly Brandt noted that at the City level, it will be completed in 2014 and it should be through the Coastal Commission process by 2015. Discussion continued regarding the process and timing.

v. Public Comment

Committee Member Rodheim addressed special events, with a direct thank you to the City of Newport Beach, as goals have been achieved, and the power outlets have been added to the poles and the poles have been decorated and lighted. Mr. Rodheim also thanked Janis Dinwiddie for her work. He noted that attendance was excellent for recent events. A "Paint the Town" event was highly successful, bringing back the sentiment that the Village is for the community and for the people. Progress is being made and a good plan needs to be established for 2014.

Janis Dinwiddie stated that she also thanks the City for the events.

Jim Mosher asked that the documents for the current committee work plan be placed on the City website, as well as being mindful of creating realistic work plans.

Howard Hall asked if he could address comments made during public comment on non-agendized items, and noted resentment over the decisions made by the Committee despite the comments he submitted and the consultant agreeing with him over lack of congestion issues.

Chair Henn noted that the item would be discussed at the next meeting.

vi. Adjournment

There being no further business to come before the Committee, Chair Henn adjourned the meeting at 5:34 p.m.

Next Meeting Date: Wednesday, January 8, 2014, 4:00 p.m. to 5:30 p.m.